

**MINUTES
CORRECTIONS STANDARDS AUTHORITY MEETING
THURSDAY, MARCH 8, 2012
600 BERCUT DRIVE
SACRAMENTO, CA 95811
(916) 445-5073**

Meeting held at: Victim Compensation & Government Claims Board, 400 R Street, Ste. 130, Sacramento, CA 95811

The meeting commenced at 1:13 p.m.

Secretary Matthew Cate welcomed the Board Members and public to the March 8, 2012 Corrections Standards Authority (CSA) meeting.

Ms. Rodriguez-Rieger called roll.

The following members were in attendance:

Secretary Cate	Ms. Arnold	Ms. McBrayer	Dr. Silbert
Ms. McDonald	Mr. Baca	Ms. Mello	Mr. Growdon
Mr. Adams	Ms. Biondi	Ms. Andrade-Silva	Ms. Mauriello
	Mr. Raven	Ms. Minor	

ABSENCE OF BOARD MEMBERS

Ms. Rodriguez-Rieger announced, there was a quorum.

Mr. Baca left at 2:30 pm, Dr. Silbert left at 2:45 pm, and Ms. Penner arrived at 3:06 pm.

CONSENT AGENDA ITEMS

APPROVAL OF THE MINUTES OF THE January 12, 2012 MEETING

(AGENDA ITEM A)

SACRAMENTO COUNTY YOUTH DETENTION FACILITY UPDATE
ON CROWDING

(AGENDA ITEM B)

SB 81 LOCAL YOUTHFUL OFFENDER REHABILITATIVE FACILITIES
CONSTRUCTION FINANCING PROGRAM – SITE ASSURANCE

(AGENDA ITEM C)

STC COMPLIANCE MONITORING STATUS

(AGENDA ITEM D)

Secretary Cate asked if any items on the consent calendar should be pulled and added to the discussion items.

Dr. Silbert asked to amend the January 12th meeting minutes. She was not absent from the January 12, 2012 meeting as stated in the minutes, but that she was ill and unable to attend.

Secretary Cate asked for a motion to accept the amendments to the minutes.

A motion to approve the amendments was made by Ms. Mauriello and seconded by Ms. Biondi. The motion carried.

Secretary Cate asked for a motion to accept items B, C and D on the consent calendar.

A motion to approve consent items was made by Ms. Andrade-Silva and seconded by Ms. Biondi. The motion carried.

DISCUSSION AGENDA ITEMS:

AB 900 PHASE II JAIL CONSTRUCTION – EXECUTIVE STEERING COMMITTEE
RECOMMENDATIONS – CONDITIONAL AWARDS

(AGENDA ITEM E)

Leslie Heller, Field Representative presented this action agenda item requesting the CSA Board consider the AB 900 Phase II Executive Steering Committee's recommendations of project worthiness on the applications submitted to CSA; rescind Phase I awards from those counties that relinquished them and reapplied in Phase II; and consider awards to Phase II counties within the available \$602,881,000 in lease-revenue bond financing authority.

Ms. Heller provided a brief review that lead to this point in time. Following the Board's issuance of the AB 900 Phase II Request for Applications for Construction or Expansion of County Jails in October 2011, the two-step process outlined in the Request for Applications, or RFA, ensued. Through submittal of Interest Statements to CSA, which was Step 1 in the process, 35 counties formally expressed their interest in participating in Phase II funding. 25 of those counties were invited to apply, as Step 2 in the process, with staff knowing that the funds available were far less than the probable requests for funding, hence the limit on the number of invited applications.

Of the 25 counties invited to apply, 20 submitted applications by the due date in January 2012. Those 20 counties collectively requested \$1.1 billion. Their applications were evaluated by the Board-appointed Executive Steering Committee (ESC) for this process.

The ranking order of counties within this funding process was the legislated funding preferences. The legislation states that CSA and CDCR shall give funding preference to the counties that committed the greatest number of inmates to state prison in the year 2010 and to counties that relinquish an AB 900 Phase I award and reapply in Phase II, while continuing to assist the State in siting state reentry facilities – a condition of Phase I funding. Starting with the first preference

was the association with the number of admissions to CDCR, and this is termed the “admissions preference”. Utilizing CDCR’s admissions data, it creates an ordering of counties from 1 – 58, based on the number of admissions to state prison coming from each county. 18 of the 20 applicant counties had sought the admissions preference.

The second preference is associated with counties relinquishing a Phase I award, and is termed the “relinquishing preference”. Relinquishing preference counties do not compete directly with admissions preference counties, and are dealt with on a separate track.

The Phase II awards to the two relinquishing preference counties, Kern and San Benito, do not come from the \$602 million currently available in Phase II funding authority. As stipulated in the RFA, these counties will be considered for Phase II awards by the Board at a later time following the legislative shift of their Phase I award amount to Phase II funding authority.

Once that shift of funding occurs through the legislative process, the Board can consider a Phase II award to those specific counties. Ms. Heller stated the Board would be asked at this meeting to acknowledge the relinquished awards and the Board’s present intent for future action.

Counties relinquishing a Phase I award were able to choose which funding preference to seek in their Phase II application. The RFA set the process and disposition of the Phase I award amounts for counties relinquishing a Phase I award and seeking the relinquishing preference as was referenced earlier. The RFA does not stipulate the disposition of Phase I award amounts when a county relinquishes its Phase I award, and seeks the admissions preference. Santa Barbara, also relinquishing a Phase I award, was seeking the admissions preference. This placed Santa Barbara among the 18 counties that were vying for the \$602 million and were rank-ordered based on their admissions to state prison. The Board would be asked to consider the disposition of Santa Barbara’s \$56 million Phase I award. Further action by the Board was necessary to formally rescind the relinquished awards from the three counties, allowing the funding authority to shift.

Before continuing, Ms. Heller briefly addressed the Executive Steering Committee’s (ESC) process in the evaluation of the applications submitted. The Committee evaluated each application on its own merit; not one application compared to another. Applications were compared to the criteria established in the RFA in which each county was asked to respond in its application, and the ESC was charged with determining whether each proposed project was worthy of funding. In cases where the ESC felt additional information was needed from a county on a particular evaluation factor or factors, that county was requested to provide a written response to the ESC’s concerns. Six counties were requested to provide additional information and attend an interview, and all six fully participated.

The final outcome of the ESC evaluation process was that 19 of the 20 applications were deemed worthy of recommending for funding to the Board, and one county’s application, Sonoma County, was deemed not worthy of recommending due to the uncertainty, or lack of clarity, with regard to project need.

An attachment to the agenda item was a table displaying the 20 applicant counties, and the funding recommendations that were before the Board, based on the determination of project

worthiness. 20 counties were divided by funding preference into two groups, in Group One, Admissions Preference, there were 18 counties, and Group Two, Relinquishing Preference, there were two counties.

Within the admissions preference group, the RFA broke out the currently available funding authority into three set-asides for large, medium and small counties; \$300 million for large, \$200 million for medium, and \$102,881,000 for small counties.

In the recommended award column, the available funding was depleted within each set-aside, and within the medium and small set-asides, the last county (Santa Barbara, Imperial) had a partial award.

The Board was asked to determine how to handle partial awards to counties. Ms. Heller explained that historically, a county only received a partial award amount; the county had the option of taking the partial award while keeping with the same project and scope of work, or refusing the award, in which case the next county on the list is offered funding. In this process with Phase II, there are no point values assessed on each application, and the rank order of the list was established by the number of admissions from each county to state prison, following the legislated funding preference. There were seven recommendations for the Board to consider. Related to those pending actions, the Board had before it letters from Sonoma and Santa Barbara counties related to the actions that were specific to those individual counties. As an aside, the Board also had a package from the City of Irvine related to Orange County's application, expressing opinions about the County's jail project. The City and County have been involved in court action related to the jail project. CSA is not a party to the court action.

ITEM E-ONE:

Secretary Cate asked for action on recommendation number E-One. Secretary Cate asked for public comments prior to continuing with the approval process of recommendation number E-One, approval of the ESC's recommendations that the 19 applications listed be deemed worthy of funding. There was no public comment. There had been a motion and a second by Ms. McBrayer and Dr. Silbert approving item E-One. Secretary Cate asked for a role call vote, giving members the opportunity to abstain.

Secretary Cate, Ms. McDonald, Mr. Adams, Ms. McBrayer, Ms. Mello, Ms. Minor, Dr. Silbert, Ms. Andrade-Silva, Mr. Growdon, and Ms. Mauriello voted yes. Ms. Arnold, Mr. Baca, Ms. Biondi, and Mr. Raven abstained. Ms. Penner was not present. Item E-One passed.

ITEM E-TWO:

Ms. Heller stated the item E-2 was to accept the ESC's recommendation that Sonoma County's application is not deemed worthy of funding. Ms. Heller stated that at the time of the ESC's review, Sonoma County's application lacked clarity as to project need and that Sonoma County and the ESC Chair were present to address the issue. Ms. Heller further stated that when the County appeared at the ESC's evaluation interview, clarity as to project need was still not demonstrated. The ESC encouraged the County to establish project need and recommended that

County representatives make a presentation to the CSA Board at the March 8th meeting. The ESC made suggestions on making the County's proposal clearer. Clarity of project need was provided to the Board by a letter signed by Sheriff Steve Freitas. Secretary Cate asked for public comments of item E-2 and invited Sonoma County's representative and the ESC's Chair to speak.

Captain Randall Walker, Sonoma County Sheriff's Department, reviewed the County's bed need information.

Sonoma County Chief Probation Officer, Robert Ochs, spoke in support of the jail project.

Sheriff Youngblood, Kern County and Chairman of the ESC, spoke in support of the County's project.

Secretary Cate stated he would like to table this item and give the ESC the opportunity to take action, and bring this matter back to the CSA May meeting.

Secretary Cate asked if there were any questions; hearing none he asked for a motion to return Sonoma County's plan to the ESC and report back to the CSA. Sheriff Growdon made the motion and was seconded by Ms. Mello and was followed with a roll call vote giving members an opportunity to abstain.

Secretary Cate, Ms. McDonald, Mr. Adams, Ms. McBrayer, Ms. Mello, Ms. Minor, Dr. Silbert, Ms. Andrade-Silva, Mr. Growdon, and Ms. Mauriello voted yes. Ms. Arnold, Mr. Baca, Ms. Biondi, Mr. Raven abstained. Ms. Penner was not present. Item E-Two passed.

ITEM E-THREE:

Rescind the Phase I relinquished awards from Kern (\$100,000,000), San Benito (\$15,053,000) and Santa Barbara (\$56,295,000).

Ms. Heller stated the purpose of this recommendation is to allow the Legislative process to take place and shift relinquished funding from Phase I into Phase II. The Board amended the action to reflect that the Board accepts the relinquishment of Phase I awards from the specified counties. Secretary Cate asked if there were any public comments. Hearing none, the Secretary asked for the vote.

Secretary Cate, Ms. McDonald, Mr. Adams, Ms. Arnold, Mr. Baca, Ms. Biondi, Ms. McBrayer, Ms. Mello, Ms. Minor, Dr. Silbert, Ms. Andrade-Silva, Mr. Growdon, and Ms. Mauriello, voted yes. Mr. Raven abstained. Ms. Penner was not present. Item E-Three passed.

ITEM E-FOUR:

Acknowledge the present intent to consider Phase II conditional awards to Kern (\$100,000,000) and San Benito (\$15,053,000) at a future date, once the Phase I award amounts have shifted to Phase II funding authority.

Secretary Cate asked if there were any public comments. Hearing none, he stated that this recommendation is an advisory matter only based on the present intent of the Board and the Board's understanding was that funding would be available provided the legislature takes action shifting the funds from Phase I to Phase II, and this action is merely to assist the counties with their planning purposes. The Secretary asked for a motion. Dr. Silbert made the motion, Ms. Mauriello seconded. The Secretary asked for roll call vote.

Secretary Cate, Ms. McDonald, Mr. Adams, Ms. Arnold, Mr. Baca, Ms. Biondi, Mr. Raven, Ms. McBrayer, Ms. Mello, Ms. Minor, Dr. Silbert, Ms. Andrade-Silva, Mr. Growdon, and Ms. Mauriello, voted yes. Ms. Penner was not present. Item E-Four passed.

ITEM E-FIVE:

Provide conditional awards for the full amounts requested to: large counties, Los Angeles, Riverside, and Orange; medium counties, Stanislaus and Tulare; and, small counties, Kings, Shasta, Sutter, and Madera.

Ms. McDonald stated there was a letter from the City of Irvine opposing the proposal of Orange County before them. Mr. Davis stated the letter addressed legal proceedings ongoing between the City of Irvine and Orange County. The CSA is not a party in this litigation, nor are there implications or does the letter exhibit there were any mandates that directs the Board in any way. Secretary Cate asked if there were any public comments.

Ms. Beth Krom, Mayor Pro Team, City of Irvine, spoke on behalf of the Mayor, Sukhee Kang and the entire city council to formally express opposition and urged the Board to decline to grant the AB 900 Phase II funding application submitted by the County of Orange

Assistant Sheriff Trisha Sanchez, San Mateo County Sheriff's Department spoke asking for further consideration of AB 900 funds to relieve overcrowding and enhance their outdated facilities.

Mary McMillan, Deputy County Manager, San Mateo County stated she felt San Mateo County needed to be in a different place on the list.

Mike James, Assistant Sheriff, Orange County Sheriff's Department spoke regarding the law suit by the City of Irvine.

Secretary Cate asked if there were any further comments or questions. Hearing none, the Secretary asked for a motion. Ms. McDonald made the motion and was seconded by Mr. Growdon. Secretary Cate stated there was a motion made and seconded to accept the recommendations as stated in E-Five to provide conditional awards for the full amounts requested to large counties, Los Angeles, Riverside, and Orange; medium counties, Stanislaus and Tulare; and, small counties, Kings, Shasta, Sutter, and Madera. Being no further discussion the Secretary asked for roll call vote and announced that Mr. Baca had asked to be excused and had left.

Secretary Cate, Ms. McDonald, Mr. Adams, Mr. Raven, Ms. McBrayer, Ms. Mello, Ms. Minor, Dr. Silbert, Ms. Andrade-Silva, Mr. Growdon, and Ms. Mauriello, voted yes. Ms. Arnold, Ms. Biondi, abstained. Mr. Baca and Ms. Penner were not present. Item E-Five passed.

ITEM E-SIX:

Ms. Heller stated this item is to provide a conditional award to Santa Barbara in the amount of \$60,000,000, which represents a partial amount of the \$80,000,000 requested due to the remaining funds within the medium county set-aside, and further, determine the future set-aside disposition of Santa Barbara's Phase I award once the legislative process has shifted the Phase I award amount to Phase II funding authority. Ms. Heller stated the remaining funding in the medium county set aside is \$60 million, Santa Barbara County requested \$80 million, leaving the county with a partial award. She pointed out that the Board had a letter from Sheriff Brown asking the Board to consider that when the Phase I award amount for Santa Barbara County in the amount of \$56 plus million goes through the legislative process and is able to come into Phase II funding authority, that amount would be placed in the medium county category allowing Santa Barbara County to have a full award

Ms. Mauriello made the motion to approve the award to Santa Barbara County in the amount of \$60 million and indicate the Board's intent to allocate the relinquished award from Santa Barbara to medium size counties and further indicate the Board's intent to allocate an additional \$20 million to Santa Barbara so that they receive the full amount requested with the remainder allocated as a partial award to Monterey County which would be consistent with the legislative action of shifting funds from Phase I to Phase II.

Secretary Cate suggested that a motion could be placed to award \$60 million and indicate moving the \$56 million into medium with \$20 million going to Santa Barbara to complete their funding with an understanding that the Board would be re-evaluating as to what would be done with the remaining funds as an option. He stated that Ms. Mauriello's suggestion was to pre-designate funding going to Monterey County as an option. Presently the Board does not need to state their intent as that may change at the next meeting and the Legislature hasn't taken action. Secretary Cate seeing that there were requests for comments, asked for Ms. Mauriello's motion to be placed on hold until after the public comments.

Sheriff Prieto, Yolo County Sheriff's Department, stated he felt that there is a problem with the category evaluation process.

Sheriff Ray Loera, Imperial County Sheriff's Department stated he appreciated the member's comments and thanked them for their support.

Sheriff Bill Brown, Santa Barbara County Sheriff's Department, stated he wanted to provide clarity to their proposal in hopes that the members accepted the recommended action discussed by Ms. Heller. Santa Barbara County needed to change their scope of the application as a result of the significant impact due to AB 109 on top of their overcrowded conditions.

Sheriff Scott Miller, Monterey County Sheriff's Department, stated Monterey County was in line behind Santa Barbara County and endorses Sheriff's Brown's proposal and appreciates the maker of the motion that was made.

Rick Sauerwein, Capital Project Manager, Monterey County, spoke on the need from a capital projects perspective, and to make a commitment to what can be done in the future after the legislative process.

Secretary Cate asked if there were any additional comments or questions for Ms. Heller in light of the comments.

Ms. Mauriello stated her motion was to keep the money in the allocation and indicate the Board's intent to allocate \$20 million to Santa Barbara with the remainder, which she believed was \$36 million to Monterey County provide the intent and came with all of the caveats' that the Secretary indicated earlier that it would be contingent with the legislative process.

Mr. Growdon stated that acknowledging that Monterey County would likely be able to move forward with their project, he seconded the motion.

Secretary Cate stated there was a motion and a second and asked if there were any further comments and that before continuing he wanted to announce that Dr. Silbert had asked to be excused and had left and that Chief Penner had arrived. He stated that before continuing with the motion he wanted to clarify the motion so that the Board and the counties all understood the motion. The Secretary stated the Board's action can be overruled by the legislature, and that the BSCC will likely make the final decision rather than the CSA based on additional information. The Secretary asked for a role call vote.

Secretary Cate, Ms. McDonald, Mr. Adams, Ms. Biondi, Ms. McBrayer, Ms. Mello, Ms. Minor, Ms. Andrade-Silva, Mr. Growdon, and Ms. Mauriello, voted yes. Ms. Arnold, Mr. Raven, Ms. Penner abstained. Mr. Baca and Dr. Silbert were not present. Item E-Six passed.

ITEM E-SEVEN:

Provide a conditional award to Imperial in the amount of \$23,626,000, which represents a partial amount of the \$33,000,000 requested due to the remaining funds within the small county set-aside. Further, determine award protocol for counties receiving partial awards, in particular, whether maintaining original project scope with the acceptance of partial funding awards is required.

Mr. Davis stated that changes to the scope would need to be reviewed by staff to confirm the scope still meets fundamental standards. Ms. Heller added that in addition staff would ask the Executive Steering Committee or representatives review changes so that it is not just staff reviewing the changes.

Secretary Cate stated that based on the information the Board had, would the Board's present intent be to allow a change in scope? The Secretary asked if that is what the Board would like to do, if so, a motion would need to be made. Ms. Mauriello made the motion and was seconded by

Ms. Biondi. Ms. Mauriello clarified her motion, as to approve recommendation number seven, to provide a conditional award in the amount of \$23,626,000, which represents a partial award to Imperial County and to indicate the Board's intent to allow partial funding awards to include a revision to project scope as long as they meet the requirement outlined by the Board's attorney.

Secretary Cate concurred that, that was his intent, but with the provision that the counties take caution and understand that this is not binding, this last part concerning whether counties can change project scope; the Board will ask for counsel's opinion. The Secretary asked if there was any further discussion, being none, asked if there were any public comments.

Sheriff Ray Loera, Imperial County Sheriff's Department, stated he appreciated the motion and thanked the Board.

Being no further comments or questions, the Secretary asked for a role call vote.

Secretary Cate, Ms. McDonald, Mr. Adams, Ms. Biondi, Mr. Raven, Ms. McBrayer, Ms. Mello, Ms. Minor, Ms. Andrade-Silva, Mr. Growdon, and Ms. Mauriello, voted yes. Ms. Arnold, Ms. Penner abstained. Mr. Baca and Dr. Silbert were not present. Item E-Seven passed.

Secretary Cate announced a ten minute break at this time.

Secretary Cate reconvened the meeting and announced the next agenda item.

**AB 900 PHASE II LOCAL JAIL CONSTRUCTION FINANCING PROGRAM –
EMERGENCY AMENDMENTS TO THE REGULATIONS**

(AGENDA ITEM F)

Charlene Aboytes, Field Representative presented this action item.

This action item was an update of the AB 900 Local Jail Construction Financing Program regulations revision process, requesting that the Board to review the public comments received during the 45-day public comment period and staff's responses to those comments; approve the proposed amendments to the regulations and grant approval for staff to submit the regulations to the Office of Administrative Law.

The purpose of the AB 900 Local Jail Construction Financing Program regulations is to administer the \$1.2 billion in lease-revenue bond financing for local jail construction authorized by AB 900. These regulations were first effective in 2008. As this program has developed, it has become necessary to periodically amend the regulations. For these regulation changes, as in all prior regulation revision processes for AB 900, CSA staff received considerable assistance from the Department of Finance and California Department of Corrections and Rehabilitation's Office of Legal Affairs. Many of the changes are driven by the requirements of lease-revenue bond financing. Other changes clarify CSA's construction administration practices. The regulations were attached along with a document that contained the reasons for the amendments for the member's review.

The draft emergency amendments to the AB 900 Local Jail Construction Financing Program

regulations were approved by the Board at the November 2011 meeting. Subsequently, CSA staff opened a 45-day public comment period as required by the Administrative Procedure Act. During the public comment period, Merced County, San Mateo County and San Diego County provided comments regarding the draft regulations. On February 23rd, a public hearing was held in Sacramento, chaired by CSA Board member Sheriff Growdon. One person attended, but did not offer public testimony.

After careful consideration and input by the Department of Finance, CDCR's Office of Legal Affairs and CSA staff, responses were developed to each of the comments.

Ms. Aboytes offered to give a synopsis of the regulation changes suggested by San Diego and San Mateo Counties for the Board's consideration and noted that the information was in the member's packets. Ms. Aboytes stated after careful review, the Department of Finance, CDCR's Office of Legal Affairs and CSA staff, opted not to make changes to the proposed regulations. There were no requests to discuss a particular comment or regulation.

A motion to approve staff's responses to the public comments, approve the proposed modified regulations and approve the submittal of the regulations to Office of Legal Affairs was made by Ms. Biondi and seconded by Mr. Adams.

Secretary Cate asked if there were any questions or comments. Ms. Aboytes noted that individuals representing San Mateo County had been in attendance earlier and asked if anyone was still in attendance to offer comment. However, there was no response. Secretary Cate asked if there were any public comments, hearing none he asked for members vote in favor of the motion. Hearing no oppositions; **The Motion Carried.**

CSA / BOARD OF STATE AND COMMUNITY CORRECTIONS EXECUTIVE STEERING COMMITTEE

(AGENDA ITEM G)

Deputy Director Jean Scott reported the outcome of the Corrections Standards Authority (CSA), Board of State and Community Corrections (BSCC) Executive Steering Committee (ESC) meeting held February 22, 2012.

The ESC reviewed the CSA's current responsibilities and the new duties of the BSCC, which were divided into four strategic areas.

The ESC members developed recommendations under each of these strategic areas and scheduled a follow-up meeting date of April 4 at 10:00 a.m., to incorporate any additional comments, and follow-up on the actions taken by the CSA Board at the March 8th meeting.

The February 22nd ESC meeting minutes were included as an attachment to this agenda item along with the meeting agenda, a list of resources suggested by the ESC, and the four strategic areas with a listing of the BSCC duties that fall within each area. Ms. Scott turned to Ms. Mauriello, Chair of the ESC for discussion of the ESC's recommendations.

Ms. Mauriello thanked Ms. Scott for the great job in providing a summary and that in the interest of time she felt there wasn't a need to discuss each draft recommendation in detail. She stated that at the April 4th ESC meeting, the ESC will review the draft material and develop a few very specific priorities which will be brought back to the Board at its May meeting. She was impressed by all the input that was provided by the attendees and thanked CSA staff, Helene Zentner, Allison Ganter and Maria Rodriguez-Rieger for organizing the meeting. Ms. Mauriello invited the members to review the material, provide comments to staff or to her and invited them to attend the April 4th meeting.

Ms. McBrayer stated that the draft was presented at the State Advisory Group on Juvenile Justice and Delinquency Prevention (SACJJDP) March 7th meeting held the day prior to the CSA Board meeting. The SACJJDP made several additional recommendations. Two SACJJDP members, Nancy O'Malley, District Attorney, Alameda County, and Winston Peters, Assistant Public Defender, Los Angeles County volunteered to serve on the ESC and will attend the next meeting. Ms. McBrayer also stated that she participated in a meeting with CSA staff and legislative staff about the ESC and as a result of that meeting a representative from the Administrative Office of the Courts be added as a member of the ESC. Ms. McBrayer continued to encourage the inclusion of a chief probation officer representative.

Dr. Silbert requested to participate as an ESC member.

Ms. Andrade-Silva recommended Dr. Rudy Haapanen, who was with the Division of Juvenile Justice and is presently with University of California, Davis (UCD), was interested in the work of the ESC. UCD is forming a similar team to look at sentencing reform and research juvenile issues and would be a valuable addition to the ESC. The UCD group has expressed interest in partnering with the BSCC in the future.

Secretary Cate asked how additional members were added. Ms. McBrayer stated that the Board members participating on the ESC informally asked people if they wanted to be members and put together a list.

Mr. Raven stated the BSCC was to be based on the local Community Corrections Partnerships (CCP). The CCP has a judge, public defender, and district attorney. BSCC has a judge but not a public defender or district attorney. Mr. Raven believes that is something those statewide associations are trying to rectify.

Mr. R. J. Gore, UC Davis, offered their research center as a resource specifically for this endeavor. The center has a very active faculty from political science, social science and school of law.

Secretary Cate asked if there was any further discussion on the ESC, hearing none, thanked Ms. Scott. Ms. McBrayer noted that this was a discussion item and asked if formal action needed to be placed. The Secretary stated that the item was for discussion and that no action was recommended at this time.

CPOC'S DEFINITION OF RECIDIVISM

(AGENDA ITEM H)

Deputy Director Jean Scott presented this discussion item.

The State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP) requested that the CSA Board review and discuss the definition of juvenile recidivism adopted by the Chief Probation Officers of California (CPOC) to support the realignment goal of developing common definitions and outcomes at the state and local level.

A common theme among the wide variety of stakeholders involved in public safety realignment has been the void in local and state efforts to collect and analyze pertinent data and track outcomes for “what works.” The SACJJDP has taken an active role in supporting opportunities to discuss and develop statewide definitions or protocols for justice outcomes.

The CPOC definition of juvenile recidivism offers another opportunity to advance the cause of establishing a system-wide outcome measure.

The definition focuses on “immediate impact” and doesn’t preclude any county from tracking and reporting data on other recidivism measures, such as subsequent arrests and probation violations.

The State Advisory Committee adopted this definition at its January meeting. However, since that time CPOC has indicated that they are continuing to review their adopted definition and that it may be modified. The adopted definition brought to the Board for discussion was “A subsequent criminal adjudication/conviction while on probation.”

Ms. McBrayer stated this item was placed on the agenda for consideration as it has been brought up at ESCs and multiple committees. Grantees are told they need to reduce recidivism but the State does not have a definition (of recidivism) nor is there a common language for communication with the grantees. It is difficult to compare grants and successes. The SACJJDP will be coming back with this issue in the future. Moving forward we need to have definitions and common language in order to measure outcomes and successes across the state. We are following the models of other states that have adopted common language and definitions.

Ms. Penner cautioned as to placing this matter on the agenda without giving it additional time for discussion, as it has been very difficult to have come this far and she does not anticipate it will be resolved in the near future.

Mr. Raven pointed out that the phrase “while on probation” is troubling to some people. Someone who is a day removed from probation is not a recidivist while someone who commits a crime a day earlier that’s on two or three years probation would be a recidivist.

Ms. Penner concurred stating that Mr. Raven illustrated the exact issue she was trying to communicate. It has been a very difficult juncture and was for CPOC and more so in the adult world.

Ms. Karen Pank, Executive Director, Chief Probation Officer's of California (CPOC), stated CPOC did have a lot of debate on this issue and it is very difficult when measuring data over 58 counties. CPOC is trying to do more data collection and research at the juvenile level as well as the adult level. Although CPOC officially adopted the juvenile definition of recidivism; it is still organic. Ms. Pank ended with concurring with Ms. Penner and cautioned the Board taking action at this time.

Secretary Cate asked if this item was for the Board's approval. Ms. Scott stated it was for discussion. The Secretary closed in stating that the CDCR research group is doing work on this issue for both juveniles and adults. Announced another opportunity for public comment.

PUBLIC COMMENT

(AGENDA ITEM I)

Secretary Cate asked if there was any public comment. There were none.

Secretary Cate asked for a motion to adjourn the meeting.

A motion to adjourn the meeting was made by Ms. Arnold and seconded by Ms. Mello. The motion carried.

Next meeting: Thursday, May 10, 2012 at 1:00 p.m. in Sacramento, CA.

Meeting adjourned at 3:58pm.

Respectfully submitted,

Originally signed by

MARIA RODRIGUEZ-RIEGER
Secretary
Corrections Standards Authority

ROSTER OF PERSONS IN ATTENDANCE

CSA Board Members

Secretary Matthew Cate, CDCR
Ms. McDonald, Undersecretary (A), CDCR
Ms. Adams, Yuba County Sheriff's Department
Ms. Arnold, Tuolumne County Probation Office
Mr. Baca, Los Angeles County Sheriff's Department
Ms. Biondi, Public Member
Mr. Raven, Yolo County District Attorney's Office
Ms. McBrayer, The Children's Initiative
Ms. Mello, Correctional Officer, CDCR
Ms. Penner, Fresno County Probation Department
Ms. Minor, CDCR Rehabilitative Programs
Dr. Silbert, Delancey Street Foundation
Ms. Andrade-Silva, Administrator, Juvenile Justice, CDCR
Mr. Growdon, Lassen County Sheriff's Department
Ms. Mauriello, Santa Cruz County

CSA Staff

Maria Rodriguez-Rieger, Secretary
Jean Scott, Deputy Director, CPP
Evonne Garner, Deputy Director, STC
Leslie Heller, Field Representative, CFC
Charlene Aboytes, Field Representative, CFC
Micheal Collins, Field Representative, CFC
Mike Davis, Attorney, CDCR Legal
Allison Ganter, Field Representative, FSO
Helene Zentner, Field Representative, CPP
Kally Phelps, Associate Governmental Program Analyst, CFC
Ginger Wolfe, Secretary, FSO